

**UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
CENTRAL DIVISION**

RANDALL LEE DALTON, et al.,                          )  
    )  
    )  
Plaintiffs,    )  
    )  
    )  
v.    ) Case No. 17-04057-CV-C-NKL  
    )  
    )  
MICHAEL BARRETT, et al.,                            )  
    )  
    )  
Defendants.    )

**NOTICE REGARDING PENDING APPEAL**

The Missouri Attorney General respectfully gives notice to the Court that in response to the Defendants' motion to dismiss the pending appeal, he has filed in the United States Court of Appeals for the Eighth Circuit a motion to vacate this Court's July 12, 2019, order (Doc. 238), in accordance with *United States v. Munsingwear*, 340 U.S. 36, 39 (1950) and *Robinson v. Pfizer, Inc.*, 855 F.3d 893, 898–99 (8th Cir. 2017). The Missouri Attorney General respectfully brings these filings to the Court's attention as the Court considers Plaintiffs' and Defendants' joint stipulation of dismissal.

DATED: June 19, 2020

Respectfully submitted,

ERIC S. SCHMITT  
*Attorney General*

/s/ Jeremiah J. Morgan  
Jeremiah J. Morgan  
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ATTORNEYS THE MISSOURI  
ATTORNEY GENERAL

**CERTIFICATE OF SERVICE**

I hereby certify that on the 19th day of June, 2020, a true and correct copy of the foregoing was filed with the Clerk of the Court using the Court's online case filing system, thereby affecting service on all parties.

*/s/ Jeremiah J. Morgan*  
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Jeremiah J. Morgan